

UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

v.

RONALD WOLF,
Defendant

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:
: CRIMINAL NO. 1:04-CR-347-1
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O R D E R

AND NOW, this 24th day of February, 2017, upon consideration of Defendant's second or successive motion to vacate, set aside, or correct sentence under 28 U.S.C. § 2255 (Doc. 159), IT IS ORDERED that Defendant's motion is GRANTED. A resentencing hearing will be scheduled by further order of this court.

In the interim, IT IS ORDERED that the parties shall submit supplemental expedited briefing on the appropriate relief under § 2255 concerning the following issues:

- (1) Whether vacating Defendant's sentence on Count Seven in light of Johnson v. United States, 135 S. Ct. 2551 (June 26, 2015), requires vacating the entirety of the Rule 11(c)(1)(C) plea agreement?
- (2) Whether this court may vacate Defendant's sentence on Count Seven with respect to its ACCA enhancement and proceed with resentencing without having to vacate the terms of the plea agreement as to Count Seven?

The Government shall submit its additional briefing on these issues by 5:00 p.m. on Monday, March 6, 2017. Thereafter, Defendant shall submit a reply by 5:00 p.m. on Monday, March 13, 2017.

/s/ William W. Caldwell
William W. Caldwell
United States District Judge